

### **REMARKS**

By the present amendment, claim 1 has been amended by incorporating therein the subject matter of claim 2 and by reciting “a retardation layer (b)” to provide antecedent basis for claim 5. Accordingly, claims 12-20 have been canceled as duplicate.

Claims 1 and 3-11 are pending in the present application. Claim 1 is the only independent claim. Claims 6-11 are withdrawn from consideration following an election of species.

As a preliminary, it is submitted that at least claim 1 remains generic to all species. Accordingly, withdrawal of the election of species and examination of all pending claims is respectfully requested.

I. **Indefiniteness rejection**

In the Office Action, claim 14 is rejected under 35 U.S.C. 112, second paragraph, as indefinite. The expression “the retardation layer (b)” on line 2 of claim 14 is objected to as lacking antecedent basis.

The language of claim 2 (now incorporated into claim 1) on which claim 14 (now canceled as duplicate of claim 5) depends has been amended to recite “comprising... a retardation layer (b)...” Accordingly, it is submitted that the rejection should be withdrawn.

II. **Art rejection**

In the Office Action, claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as obvious over US 2003/0174276 corresponding to US 7075598.

Amendment under 37 CFR §1.111  
U.S. Application No. **10/561,964**  
Attorney Docket No.: **053498**

Claim 1 has been amended by incorporating therein the subject matter of claim 2, which is not included in this rejection. Accordingly, it is submitted that the rejection should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

If there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

If this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to Deposit Account No. 50-2866.

Respectfully submitted,

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